

OCT 26 1998

U.S. PATENT & TRADEMARK OFFICE

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PTO/SB/21 (12-97)  
Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

SECTOR \$ #3

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/105,840
Filing Date	June 26, 1998
First Named Inventor	David Bill
Group Art Unit	2731
Examiner Name	Not Assigned
Attorney Docket Number	TDS-001

Total Number of Pages in This Submission **13**

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <i>copy</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px;">Declaration of Inventor Return postcard</div>
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

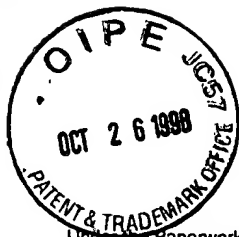
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Steven A. Swernofsky
Signature	<i>SA Swernofsky</i>
Date	Oct. 24 1998

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <b>Oct 22 1998</b>			
Typed or printed name	Arlette Malhas		
Signature	<i>Arlette Malhas</i>	Date	Oct 22 1998

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#3

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PTO/SB/17 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**FEE TRANSMITTAL**

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **658****Complete if Known**

Application Number	09/105,840
Filing Date	June 26, 1998
First Named Inventor	David Bill
Group Art Unit	2731
Examiner Name	Not Assigned
Attorney Docket Number	TDS-001

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: **50-0365**  
Deposit Account Name: **Steven A. Swernofsky Law Offices**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other

**FEE CALCULATION****1. FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 790	201 395	Utility filing fee	395
106 330	206 165	Design filing fee	
107 540	207 270	Plant filing fee	
108 790	208 395	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) **395****2. CLAIMS**

Total Claims	Extra	Fee from below	Fee Paid
33	-20 =	13	143
Independent Claims	2 - 3 =		0
Multiple Dependent Claims			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 22	203 17	Claims in excess of 20	
102 82	202 41	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim	
109 82	209 41	Reissue independent claims over original patent	
110 22	210 11	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) **143****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	55
116 400	216 200	Extension for reply within second month	
117 950	217 475	Extension for reply within third month	
118 1,510	218 755	Extension for reply within fourth month	
128 2,060	228 1,030	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,320	241 660	Petition to revive - unintentional	
142 1,320	242 660	Utility issue fee (or reissue)	
143 450	243 225	Design issue fee	
144 670	244 335	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 790	246 395	Filing a submission after final rejection (37 CFR 1.129(a))	
149 790	249 395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **120****SUBMITTED BY**Typed or Printed Name: **Steven A. Swernofsky**Signature: *SA Swernofsky*Date: **Oct. 21, 1998****Complete (if applicable)**Reg. Number: **33,040**Deposit Account User ID: **50-0365**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

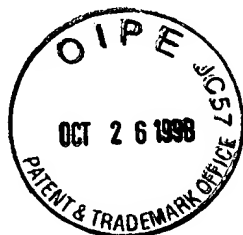
In re Application of:

David Bill

Serial No. 09/105,840

Filed: July 22, 1998

For: Distributing Personalized Content



Art Unit: 2731

Examiner: Not Assigned

Tel:

Notice Mailed: July 22, 1998

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to:

Assistant Commissioner for Patents  
BOX ASSIGNMENT  
Washington, D.C. 20231

on October 22, 1998 Arlette Malhas  
Date Arlette Malhas

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Honorable Assistant Commissioner  
for Patents  
BOX ASSIGNMENT  
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to File Missing Parts dated July 22, 1998, please find enclosed herewith:

1. Declaration executed by the inventors;
2. Copy of executed assignments by the inventors to assignee Spinner Networks, Inc.;
3. Power of Attorney executed by an officer of assignee Spinner Networks, Inc.;
4. Verified Statement Claiming Small Entity Status;

///

///

5. Check in the amount of \$603 for filing fee and surcharge for assignee as a small entity calculated as follows:

Basic filing fee — Fee Code [101/201]:	\$395
Surcharge — Fee Code [105/205]	\$65
[Any Claims over 20] — Fee Code [103/203]	\$143
[Indep Claims over 3] — Fee Code [102/202]	\$0
<u>TOTAL:</u>	<u>\$603</u>

6. Request for Extension of Time to Respond of One month;

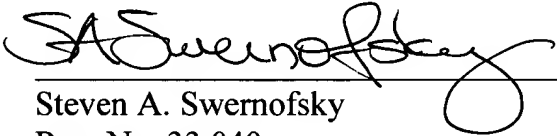
7. Check in the amount of \$55, per Fee Code [116/216], for the Request for Extension of Time;

8. Copy of Notice to File Missing Parts; and

9. Return postcard.

Respectfully submitted,

Dated: Oct. 21, 1998

  
Steven A. Swernofsky  
Reg. No. 33,040

The Law Offices of  
Steven A. Swernofsky  
P.O. Box 390013  
Mountain View, CA 94039-0013  
(650) 947-0700



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/105,840	06/26/98	BILL	/TDS-001

0242/0722

STEVEN A GVERNOFKSY  
POST OFFICE BOX 390013  
MOUNTAIN VIEW CA 94039-0013

NOT ASSIGNED

DATE MAILED:

07/22/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 1,206.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ 286.00 for 13 dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.24(m)).

10/28/1998 KNOWN 00000013-00105440 in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

01 FC:201 See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

02 FC:203 143.00

03 FC:209 OTHER: 65.00

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (702) 308-1202